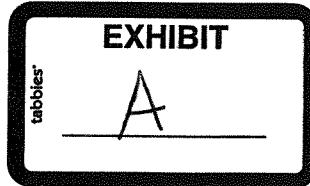
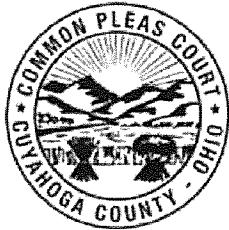


[Print](#)**CASE INFORMATION****Docket Information**

Filing Date	Side	Type	Description	Image
02/19/19	D	NT	NOTICE OF APPEARANCE, FILED DEFENDANT(S) ANJ, LLC(D1), EML EXPRESS, INC(D2) and ANTONIO NOGUEIRA(D3) JORDAN C. HETTRICH 0091744. ENTRY OF APPEARANCE	
02/16/19	N/A	SR	FX RECEIPT NO. 37686730 RETURNED 2/7/2019 FAILURE OF SERVICE ON PARTY NOGUEIRA/ANTONIO/ - BAD ADDRESS AFTER 8 DAYS	
02/09/19	N/A	SR	FEDEX RECEIPT NO. 37686729 DELIVERED BY FEDEX 02/08/2019 EML EXPRESS, INC PROCESSED BY COC 02/09/2019.	
02/08/19	N/A	SR	FEDEX RECEIPT NO. 37686728 DELIVERED BY FEDEX 02/07/2019 ANJ, LLC PROCESSED BY COC 02/08/2019.	
02/07/19	N/A	JE	ATTORNEY TAYFEL'S MOTION TO WITHDRAW AS PLAINTIFFS' ATTORNEY, FILED 02/06/2019, IS GRANTED. ATTORNEY WALLACE WILL CONTINUE TO REPRESENT THE PLAINTIFFS. NOTICE ISSUED	
02/06/19	P	MO	MOTION TO WITHDRAW AS COUNSEL MOTION TO WITHDRAW AS PLAINTIFFS' ATTORNEY 02/07/2019 - GRANTED	
02/04/19	N/A	SR	SUMMONS E-FILE COPY COST	
02/04/19	N/A	SR	SUMMONS E-FILE COPY COST	
02/04/19	D3	CS	WRIT FEE	
02/04/19	D3	SR	SUMS COMPLAINT(37686730) SENT BY FEDERAL EXPRESS. TO: ANTONIO NOGUEIRA 602 NW 13TH STREET NO. 34 BOCA RATON, FL 33486	
02/04/19	D2	CS	WRIT FEE	
02/04/19	D2	SR	SUMS COMPLAINT(37686729) SENT BY FEDERAL EXPRESS. TO: EML EXPRESS, INC 8 S STREET HULL, MA 02045	
02/04/19	N/A	SR	SUMMONS E-FILE COPY COST	
02/04/19	D1	CS	WRIT FEE	
02/04/19	D1	SR	SUMS COMPLAINT(37686728) SENT BY FEDERAL EXPRESS. TO: ANJ, LLC 784 SECOND STREET FALL RIVER, MA 02721	
01/30/19	N/A	SF	JUDGE MAUREEN CLANCY ASSIGNED (RANDOM)	
01/30/19	P1	SF	LEGAL RESEARCH	
01/30/19	P1	SF	LEGAL NEWS	
01/30/19	P1	SF	LEGAL AID	
01/30/19	P1	SF	COURT SPECIAL PROJECTS FUND	
01/30/19	P1	SF	COMPUTER FEE	
01/30/19	P1	SF	CLERK'S FEE	
01/30/19	P1	SF	DEPOSIT AMOUNT PAID ERIC W TAYFEL	
01/30/19	N/A	SF	CASE FILED: COMPLAINT	

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**NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113**

Court of Common Pleas

**New Case Electronically Filed:
January 30, 2019 13:33**

By: ERIC W. TAYFEL 0068222

Confirmation Nbr. 1612517

DENNIS J SCHMITT, ET AL

CV 19 910339

vs.

ANJ, LLC, ET AL

Judge: MAUREEN CLANCY

Pages Filed: 5

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

**DENNIS J. SCHMITT
52 Diebold Road
McKees Rocks, PA 15136**

Case No.

Hon.

and

**DIANE SCHMITT
52 Diebold Road
McKees Rocks, PA 15136**

Plaintiffs,

vs.

**ANJ, LLC
784 Second Street
Fall River, MA 02721**

and

**EML EXPRESS, INC.
8 S Street
Hull, MA 02045-1503**

and

**ANTONIO NOGUEIRA
602 N.W. 13th Street, No. 34
Boca Raton, FL 33486**

Defendants.

COMPLAINT
(Jury Demand Endorsed Herein)

NOW come Plaintiffs, Dennis and Diane Schmitt, and for their Complaint against Defendants ANJ, LLC (hereafter Defendant ANJ), Defendant EML Express, Inc. (hereafter Defendant EML) and Defendant Antonio Nogueira (hereafter Defendant Nogueira) state as follows:

1. Plaintiffs Dennis Schmitt and Diane Schmitt were at all times relevant herein, private citizens and residents of the City of McKees Rocks, Allegheny County, in the Commonwealth of Pennsylvania.
2. Defendant ANJ was at all times herein, a foreign, for profit corporation, with its principle place of business being located at 784 Second Street, Fall River, Massachusetts.
3. Defendant EML was at all times relevant herein, a foreign, for profit corporation, with its principle place of business being located at 8 S Street, Hull Massachusetts.
4. Defendant Nogueira is a private citizen and upon information and belief is a resident of the City of Boca Raton, in the State of Florida.
5. At all times relevant herein, Defendant Nogueira was an employee and/or agent of Defendant ANJ and/or Defendant EML.
6. On January 30, 2017, Plaintiff Dennis Schmitt was operating a 2008 International box truck on I-271 south in the City of Bedford Heights, Cuyahoga County, Ohio.
7. At all times relevant herein, Plaintiff Dennis Schmitt was operating his vehicle in a safe and lawful manner.
8. At that same date, time and location, Defendant Nogueira was operating a tractor trailer and was also traveling on I-271 southbound.
9. When it was to the left of the Schmitt vehicle, the tractor trailer attempted to change lanes to the right. When it attempted to do so, it struck the vehicle driven by Plaintiff Dennis Schmitt, causing the Schmitt vehicle to be forced from the roadway, before ultimately crashing into a concrete barrier.
10. The crash was a direct result of the negligence of Defendant Nogueira. Defendant ANJ and/or Defendant EML. That negligence includes, but is not limited to:

- (a) Failing to keep a proper lookout;
- (b) Failing to properly control the tractor trailer;
- (c) Failing to maintain travel in a designated lane;
- (d) Failing to yield the right of way to the vehicle carrying Plaintiff Dennis Schmitt;
- (e) Failing to properly signal a lane change;
- (f) Failing to safely change lanes;
- (g) Such other negligence as may be developed during the course of discovery.

11. Following the impact with the vehicle operated by Plaintiff Dennis Schmitt, Defendant Nogueira recklessly fled the scene off the accident. It was only later that a passerby was able to chase down Defendant Nogueira and obtain his information.

12. Fleeing the scene of an accident is a reckless act, which entitles Plaintiffs to punitive damages.

13. As a direct and proximate result of the crash, Plaintiff Dennis Schmitt suffered physical injuries, some of which are permanent in nature. These injuries include strain/sprain of the cervical spine, cervical radiculopathy, fractured and bruised ribs, tear of the rotator cuff, strain/sprain of the shoulder, strain/sprain of the low back and a concussion.

14. Plaintiff has incurred medical expenses in excess of \$56,000.00 as a direct and proximate result of the crash.

15. Plaintiff Dennis Schmitt's injuries have caused, and will continue to cause, Plaintiff Dennis Schmitt pain, anguish, loss of the ability to perform his usual daily functions and a loss of enjoyment of life.

16. Plaintiff Dennis Schmitt has suffered a loss of income and will continue to suffer a loss of income in the future, due to his permanent injuries.

17. All the harms and losses suffered by Plaintiff Dennis Schmitt, as set forth above, are the direct and proximate result of the negligence and/or recklessness of Defendant ANJ, Defendant EML and/or Defendant Nogueira.

18. As the employer or principle of their agents or employees, Defendant ANJ and Defendant EML are responsible for the negligent and/or reckless acts of their employees or agents.

19. At all times relevant herein, Plaintiff Diane Schmitt has been the lawfully wedded to Plaintiff Dennis Schmitt.

20. As a direct and proximate result of Defendants' actions and inactions as set forth above, Plaintiff Diane Schmitt has sustained the loss of her husband's consortium, including the loss of his society, services, affection and relations.

WHEREFORE, Plaintiffs respectfully request the Court award compensatory and punitive damages against Defendant ANJ, L.I.C, Defendant EML Express, Inc. and Defendant Antonio Nogueira, jointly and severally, in an amount sufficient to satisfy the jurisdictional limits of this Court and to fully and fairly compensate Plaintiffs for their harms and losses set forth herein. Plaintiffs further pray for their attorney's fees, costs and for such other relief as this Court deems just and proper.

Respectfully submitted,

/s/Christopher J. Wallace

CHRISTOPHER J. WALLACE (0065561)
The Wallace Firm, PLLC
3350 Pennsylvania Avenue, Suite B
PO Box 2100
Weirton WV 26062
T: (855) 530-9300/F: (888) 502-8391
cwallace@wallace-firm.com
Attorney for Plaintiffs

/s/ Eric W. Tayfel

ERIC W. TAYFEL ESQ (0068222)
Tayfel & Associates, LLC
1360 West 9th Street, Suite 310
Cleveland, Ohio 44113
T: (216) 443-0550/F: (216) 443-0558
ctayfel@tayfellow.com
Attorney for Plaintiff

JURY DEMAND

A Jury Demand is Endorsed Herein.

/s/ Christopher J. Wallace

CHRISTOPHER J. WALLACE ESQ (0065561)

And

/s/ Eric W. Tayfel
ERIC W. TAYFEL, ESQ (0068222)
Attorney for Plaintiff

CASE NO.
CV19910339

D1 FX

SUMMONS NO.
37686728

Rule 4 (B) Ohio

DENNIS J SCHMITT, ET AL
VS
ANJ, LLC, ET ALPLAINTIFF
DEFENDANTRules of Civil
Procedure

SUMMONS

ANJ, LLC
784 SECOND STREET
FALL RIVER MA 02721

You have been named defendant in a summons complaint (copy attached hereto) filed in Cuyahoga County Court of Common Pleas, Cuyahoga County Justice Center, Cleveland, Ohio 44113, by the plaintiff named herein.

Said answer is required to be served on:



Plaintiff's Attorney

CHRISTOPHER J WALLACE
THE WALLACE FIRM, PLLC
P.O. BOX 2100
WEIRTON, WV 26062-0000

You are hereby summoned and required to answer the complaint within 28 days after service of this summons upon you, exclusive of the day of service.

Said answer is required to be served on Plaintiff's Attorney (Address denoted by arrow at left.)

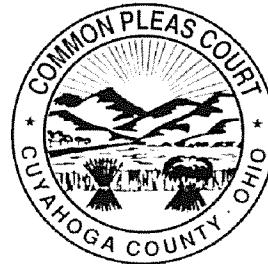
Your answer must also be filed with the court within 3 days after service of said answer on plaintiff's attorney.

If you fail to do so, judgment by default will be rendered against you for the relief demanded in the complaint.

Case has been assigned to Judge:

MAUREEN CLANCY
Do not contact judge. Judge's name is given for attorney's reference only.NATLAH K. BYRD
Clerk of the Court of Common Pleas

Deputy

DATE SENT
Feb 4, 2019

By _____

COMPLAINT FILED 01/30/2019





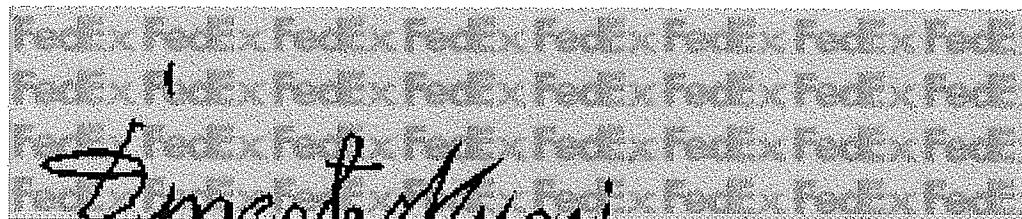
February 8, 2019

Dear Customer:

The following is the proof-of-delivery for tracking number **785300336760**.

Delivery Information:

Status:	Delivered	Delivered to:	Receptionist/Front Desk
Signed for by:	M.DIMETRE	Delivery location:	784 2ND ST FALL RIVER, MA 02721
Service type:	FedEx Express Saver	Delivery date:	Feb 7, 2019 11:23
Special Handling:	Deliver Weekday		
	Direct Signature Required		



Shipping Information:

Tracking number:	785300336760	Ship date:	Feb 4, 2019
		Weight:	0.5 lbs/0.2 kg

Recipient:
ANJ, LLC
784 SECOND STREET
FALL RIVER, MA 02721 US

Shipper:
CCoC
1200 Ontario
Cleveland, OH 44113 US

Reference CV19910339
Invoice number 37686728

Thank you for choosing FedEx.

CASE NO. CV19910339	D2 FX
------------------------	-------

SUMMONS NO. 37686729

Rule 4 (B) Ohio

Rules of Civil
Procedure

DENNIS J SCHMITT, ET AL
VS
ANJ, LLC, ET AL

PLAINTIFF
DEFENDANT

SUMMONS

EML EXPRESS, INC
8 S STREET
HULL MA 02045

You have been named defendant in a summons
complaint (copy attached hereto) filed in Cuyahoga
County Court of Common Pleas, Cuyahoga County
Justice Center, Cleveland, Ohio 44113, by the
plaintiff named herein.

You are hereby summoned and required to answer
the complaint within 28 days after service of this
summons upon you, exclusive of the day of service.

Said answer is required to be served on Plaintiff's
Attorney (Address denoted by arrow at left.)

Your answer must also be filed with the court
within 3 days after service of said answer on
plaintiff's attorney.

If you fail to do so, judgment by default will be
rendered against you for the relief demanded in the
complaint.

Said answer is required to be served on:



Plaintiff's Attorney

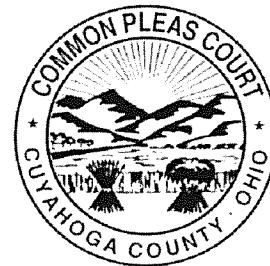
CHRISTOPHER J WALLACE
THE WALLACE FIRM, PLLC
P.O. BOX 2100
WEIRTON, WV 26062-0000

Case has been assigned to Judge:

MAUREEN CLANCY
Do not contact judge. Judge's name is given for
attorney's reference only.

NAILAH K. BYRD
Clerk of the Court of Common Pleas

Deputy



DATE SENT
Feb 4, 2019

By _____

COMPLAINT FILED 01/30/2019





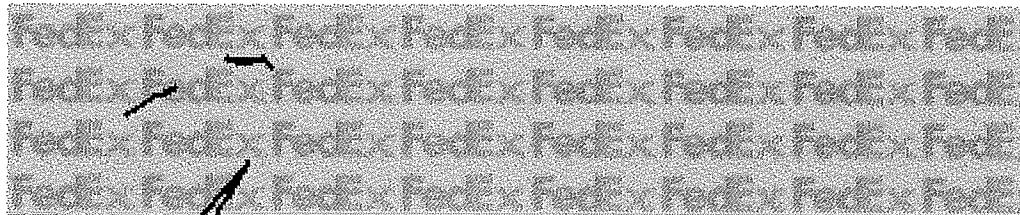
February 9, 2019

Dear Customer:

The following is the proof-of-delivery for tracking number 785300337907.

Delivery Information:

Status:	Delivered	Delivered to:	Residence
Signed for by:	C.LONG	Delivery location:	8 S ST HULL, MA 02045
Service type:	FedEx Express Saver	Delivery date:	Feb 8, 2019 10:52
Special Handling:	Deliver Weekday Residential Delivery Direct Signature Required		



Shipping Information:

Tracking number:	785300337907	Ship date:	Feb 4, 2019
		Weight:	0.5 lbs/0.2 kg

Recipient:
EML EXPRESS, INC
8 S STREET
HULL, MA 02045 US

Shipper:
CCoC
1200 Ontario
Cleveland, OH 44113 US

Reference CV19910339
Invoice number 37686729

Thank you for choosing FedEx.

CASE NO.
CV19910339

D3 FX

SUMMONS NO.
37686730

CLEVELAND, OHIO 44113

Rule 4 (B) Ohio

DENNIS J SCHMITT, ET AL
VS
ANJ, LLC, ET ALPLAINTIFF
DEFENDANTRules of Civil
Procedure**SUMMONS**ANTONIO NOGUEIRA
602 NW 13TH STREET NO. 34
BOCA RATON FL 33486You have been named defendant in a summons
complaint (copy attached hereto) filed in Cuyahoga
County Court of Common Pleas, Cuyahoga County
Justice Center, Cleveland, Ohio 44113, by the
plaintiff named herein.

Said answer is required to be served on:



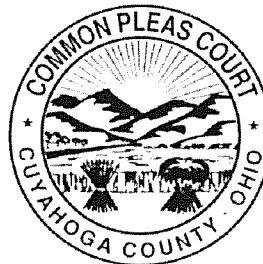
Plaintiff's Attorney

CHRISTOPHER J WALLACE
THE WALLACE FIRM, PLLC
P.O. BOX 2100
WEIRTON, WV 26062-0000You are hereby summoned and required to answer
the complaint within 28 days after service of this
summons upon you, exclusive of the day of service.Said answer is required to be served on Plaintiff's
Attorney (Address denoted by arrow at left.)Your answer must also be filed with the court
within 3 days after service of said answer on
plaintiff's attorney.If you fail to do so, judgment by default will be
rendered against you for the relief demanded in the
complaint.

Case has been assigned to Judge:

MAUREEN CLANCY
Do not contact judge. Judge's name is given for
attorney's reference only.NATLAH K. BYRD
Clerk of the Court of Common Pleas

Deputy

DATE SENT
Feb 4, 2019

By _____

COMPLAINT FILED 01/30/2019



IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

DENNIS SCHMITT, et al.)	CASE NO: CV 19 910339
)	
Plaintiff)	JUDGE MAUREEN CLANCY
)	
ANJ, LLC, et al.)	<u>MOTION TO WITHDRAW AS</u>
)	<u>PLAINTIFFS' ATTORNEY</u>
Defendants.)	

Now comes Eric W. Tayfel co-counsel for Plaintiffs Dennis J. Schmitt and Diane Schmitt to request this Honorable Court approve his *Motion To Withdraw* as counsel for Plaintiffs as his co-counsel Christopher Wallace is prepared to continue as the sole attorney of record. Further, the undersigned certifies that Plaintiffs are in agreement and remain informed of any orders and upcoming assignment dates in this matter as required by Mr. Wallace.

Respectfully Submitted,



ERIC W. TAYFEL, ESQ. (0068222)
Tayfel & Associates, LLC
1360 W. 9th Street, Suite 310
Cleveland, Ohio 44113
T: (216) 443-0550/F: (216) 443-0558
etayfel@tayfellaw.com

CERTIFICATE OF SERICE

A copy of the foregoing *Motion To Withdraw As Plaintiffs' Attorney* was sent this 6th day of February, 2019 via e-mail to: Christopher Wallace, The Wallace Firm, PLLC, 3350 Pennsylvania Avenue, Suite B, PO Box 2100, Weirton WV 26062 cwallace@wallace-firm.com and via regular US Mail, postage pre-paid, to: ANJ, LLC, 784 Second Street, Fall River MA 02721; EML Express, Inc., 8 S Street, Hull MA 02045-1503 and Antonio Nogueira, 602 N.W. 13th Street No. 34, Boca Raton FL 33486.



ERIC W. TAYFEL, ESQ. (0068222)

CASE NO.
CV19910339

D2 FX

SUMMONS NO.
37686729

Rule 4 (B) Ohio

DENNIS J SCHMITT, ET AL
VS
ANJ, LLC, ET AL

PLAINTIFF
DEFENDANT

SUMMONS

EML EXPRESS, INC
8 S STREET
HULL MA 02045

You have been named defendant in a summons
complaint (copy attached hereto) filed in Cuyahoga
County Court of Common Pleas, Cuyahoga County
Justice Center, Cleveland, Ohio 44113, by the
plaintiff named herein.

Said answer is required to be served on:



Plaintiff's Attorney

CHRISTOPHER J WALLACE
THE WALLACE FIRM, PLLC

P.O. BOX 2100
WEIRTON, WV 26062-0000

You are hereby summoned and required to
answer the complaint within 28 days after service
of this summons upon you, exclusive of the day of
service.

Said answer is required to be served on Plaintiff's
Attorney (Address denoted by arrow at left.)

Your answer must also be filed with the court
within 3 days after service of said answer on
plaintiff's attorney.

If you fail to do so, judgment by default will be
rendered against you for the relief demanded in the
complaint.

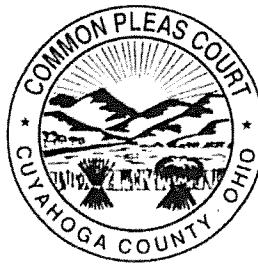
Case has been assigned to Judge:

MAUREEN CLANCY
Do not contact judge. Judge's name is given for
attorney's reference only.

NAILAH K. BYRD
Clerk of the Court of Common Pleas



Deputy

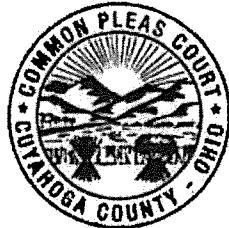


DATE SENT
Feb 4, 2019

By _____



COMPLAINT FILED 01/30/2019



**NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113**

Court of Common Pleas

**New Case Electronically Filed:
January 30, 2019 13:33**

By: ERIC W. TAYFEL 0068222

Confirmation Nbr. 1612517

DENNIS J SCHMITT, ET AL

CV 19 910339

vs.

ANJ, LLC, ET AL

Judge: MAUREEN CLANCY

Pages Filed: 5

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

**DENNIS J. SCHMITT
52 Diebold Road
McKees Rocks, PA 15136**

Case No.

Hon.

and

**DIANE SCHMITT
52 Diebold Road
McKees Rocks, PA 15136**

Plaintiffs,

vs.

**ANJ, LLC
784 Second Street
Fall River, MA 02721**

and

**EML EXPRESS, INC.
8 S Street
Hull, MA 02045-1503**

and

**ANTONIO NOGUEIRA
602 N.W. 13th Street, No. 34
Boca Raton, FL 33486**

Defendants.

COMPLAINT
(Jury Demand Endorsed Herein)

NOW come Plaintiffs, Dennis and Diane Schmitt, and for their Complaint against Defendants ANJ, LLC (hereafter Defendant ANJ), Defendant EML Express, Inc. (hereafter Defendant EML) and Defendant Antonio Nogueira (hereafter Defendant Nogueira) state as follows:

1. Plaintiffs Dennis Schmitt and Diane Schmitt were at all times relevant herein, private citizens and residents of the City of McKees Rocks, Allegheny County, in the Commonwealth of Pennsylvania.
2. Defendant ANJ was at all times herein, a foreign, for profit corporation, with its principle place of business being located at 784 Second Street, Fall River, Massachusetts.
3. Defendant EML was at all times relevant herein, a foreign, for profit corporation, with its principle place of business being located at 8 S Street, Hull Massachusetts.
4. Defendant Nogueira is a private citizen and upon information and belief is a resident of the City of Boca Raton, in the State of Florida.
5. At all times relevant herein, Defendant Nogueira was an employee and/or agent of Defendant ANJ and/or Defendant EML.
6. On January 30, 2017, Plaintiff Dennis Schmitt was operating a 2008 International box truck on I-271 south in the City of Bedford Heights, Cuyahoga County, Ohio.
7. At all times relevant herein, Plaintiff Dennis Schmitt was operating his vehicle in a safe and lawful manner.
8. At that same date, time and location, Defendant Nogueira was operating a tractor trailer and was also traveling on I-271 southbound.
9. When it was to the left of the Schmitt vehicle, the tractor trailer attempted to change lanes to the right. When it attempted to do so, it struck the vehicle driven by Plaintiff Dennis Schmitt, causing the Schmitt vehicle to be forced from the roadway, before ultimately crashing into a concrete barrier.
10. The crash was a direct result of the negligence of Defendant Nogueira, Defendant ANJ and/or Defendant EML. That negligence includes, but is not limited to:

- (a) Failing to keep a proper lookout;
- (b) Failing to properly control the tractor trailer;
- (c) Failing to maintain travel in a designated lane;
- (d) Failing to yield the right of way to the vehicle carrying Plaintiff Dennis Schmitt;
- (e) Failing to properly signal a lane change;
- (f) Failing to safely change lanes;
- (g) Such other negligence as may be developed during the course of discovery.

11. Following the impact with the vehicle operated by Plaintiff Dennis Schmitt,

Defendant Nogueira recklessly fled the scene off the accident. It was only later that a passerby was able to chase down Defendant Nogueira and obtain his information.

12. Fleeing the scene of an accident is a reckless act, which entitles Plaintiffs to punitive damages.

13. As a direct and proximate result of the crash, Plaintiff Dennis Schmitt suffered physical injuries, some of which are permanent in nature. These injuries include strain/sprain of the cervical spine, cervical radiculopathy, fractured and bruised ribs, tear of the rotator cuff, strain/sprain of the shoulder, strain/sprain of the low back and a concussion.

14. Plaintiff has incurred medical expenses in excess of \$56,000.00 as a direct and proximate result of the crash.

15. Plaintiff Dennis Schmitt's injuries have caused, and will continue to cause, Plaintiff Dennis Schmitt pain, anguish, loss of the ability to perform his usual daily functions and a loss of enjoyment of life.

16. Plaintiff Dennis Schmitt has suffered a loss of income and will continue to suffer a loss of income in the future, due to his permanent injuries.

17. All the harms and losses suffered by Plaintiff Dennis Schmitt, as set forth above, are the direct and proximate result of the negligence and/or recklessness of Defendant ANJ, Defendant EML and/or Defendant Nogueira.

18. As the employer or principle of their agents or employees, Defendant ANJ and Defendant EML are responsible for the negligent and/or reckless acts of their employees or agents.

19. At all times relevant herein, Plaintiff Diane Schmitt has been the lawfully wedded to Plaintiff Dennis Schmitt.

20. As a direct and proximate result of Defendants' actions and inactions as set forth above, Plaintiff Diane Schmitt has sustained the loss of her husband's consortium, including the loss of his society, services, affection and relations.

WHEREFORE, Plaintiffs respectfully request the Court award compensatory and punitive damages against Defendant ANJ, LLC, Defendant EML Express, Inc. and Defendant Antonio Nogueira, jointly and severally, in an amount sufficient to satisfy the jurisdictional limits of this Court and to fully and fairly compensate Plaintiffs for their harms and losses set forth herein. Plaintiffs further pray for their attorney's fees, costs and for such other relief as this Court deems just and proper.

Respectfully submitted,

/s/Christopher J. Wallace

CHRISTOPHER J. WALLACE (0065561)

The Wallace Firm, PLLC

3350 Pennsylvania Avenue, Suite B

PO Box 2100

Weirton WV 26062

T: (855) 530-9300/F: (888) 502-8391

cwallace@wallace-firm.com

Attorney for Plaintiffs

/s/ Eric W. Tayfel

ERIC W. TAYFEL ESQ (0068222)

Tayfel & Associates, LLC

1360 West 9th Street, Suite 310

Cleveland, Ohio 44113

T: (216) 443-0550/F: (216) 443-0558

etayfel@tayfellaw.com

Attorney for Plaintiff

JURY DEMAND

A Jury Demand is Endorsed Herein.

/s/ Christopher J. Wallace

CHRISTOPHER J. WALLACE ESQ (0065561)

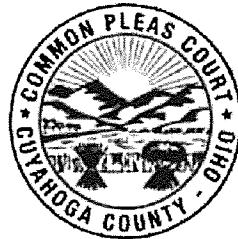
And

/s/ Eric W. Tayfel

ERIC W. TAYFEL ESQ (0068222)

Attorney for Plaintiff

Motion No. 4751992



**NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113**

Court of Common Pleas

**MOTION TO WITHDRAW AS COUNSEL
February 6, 2019 16:18**

By: ERIC W. TAYFEL 0068222

Confirmation Nbr. 1618780

DENNIS J SCHMITT, ET AL

CV 19 910339

vs.

ANJ, LLC, ET AL

Judge: MAUREEN CLANCY

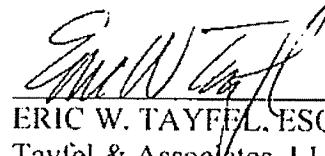
Pages Filed: 1

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

DENNIS SCHMITT, et al.)	CASE NO: CV 19 910339
)	
Plaintiff)	JUDGE MAUREEN CLANCY
)	
ANJ, LLC, et al.)	<u>MOTION TO WITHDRAW AS</u>
)	<u>PLAINTIFFS' ATTORNEY</u>
Defendants.)	

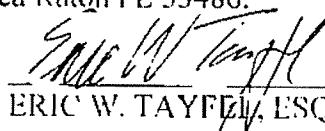
Now comes Eric W. Tayfel co-counsel for Plaintiffs Dennis J. Schmitt and Diane Schmitt to request this Honorable Court approve his *Motion To Withdraw* as counsel for Plaintiffs as his co-counsel Christopher Wallace is prepared to continue as the sole attorney of record. Further, the undersigned certifies that Plaintiffs are in agreement and remain informed of any orders and upcoming assignment dates in this matter as required by Mr. Wallace.

Respectfully Submitted,


ERIC W. TAYFEL, ESQ. (0068222)
Tayfel & Associates, LLC
1360 W. 9th Street, Suite 310
Cleveland, Ohio 44113
T: (216) 443-0550/F: (216) 443-0558
ctayfel@tayfellow.com

CERTIFICATE OF SERVICE

A copy of the foregoing *Motion To Withdraw As Plaintiffs' Attorney* was sent this 6th day of February, 2019 via e-mail to: Christopher Wallace, The Wallace Firm, PLLC, 3350 Pennsylvania Avenue, Suite B, PO Box 2100, Weirton WV 26062 cwallace@wallace-firm.com and via regular US Mail, postage pre-paid, to: ANJ, LLC, 784 Second Street, Fall River MA 02721; FML Express, Inc., 8 S Street, Hull MA 02045-1503 and Antonio Nogueira, 602 N.W. 13th Street No. 34, Boca Raton FL 33486.


ERIC W. TAYFEL, ESQ. (0068222)



**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

DENNIS J SCHMITT, ET AL
Plaintiff

ANJ, LLC, ET AL
Defendant

Case No: CV-19-910339

Judge: MAUREEN CLANCY

JOURNAL ENTRY

ATTORNEY TAYFEL'S MOTION TO WITHDRAW AS PLAINTIFFS' ATTORNEY, FILED 02/06/2019, IS GRANTED.
ATTORNEY WALLACE WILL CONTINUE TO REPRESENT THE PLAINTIFFS.

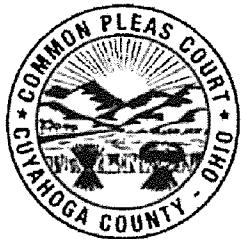
A handwritten signature in black ink, appearing to read "Maureen Clancy", is placed above a horizontal line.

Judge Signature

02/07/2019

02/07/2019

RECEIVED FOR FILING
02/07/2019 16:04:20
NAILAH K. BYRD, CLERK



**NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113**

Court of Common Pleas

**NOTICE OF APPEARANCE
February 19, 2019 13:17**

By: JORDAN C. HETTRICH 0091744

Confirmation Nbr. 1629470

DENNIS J SCHMITT, ET AL

CV 19 910339

vs.

ANJ, LLC, ET AL

Judge: MAUREEN CLANCY

Pages Filed: 2

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

DENNIS J. SCHMITT and DIANE
SCHMITT,

CIVIL ACTION NO.: CV 19 910339

Plaintiffs,

JURY TRIAL DEMANDED HEREIN

vs.

ANJ,LLC, EML EXPRESS, INC., and
ANTONIO NOGUEIRA,

Defendants.

ENTRY OF APPEARANCE

Kindly enter the appearance of John T. Pion, Esquire, Jordan C. Hettrich, Esquire and Pion, Nerone, Girman, Winslow & Smith, P.C., on behalf of Defendants, ANJ, LLC, EML Express, Inc., and Antonio Nogueira, in the above matter.

PION, NERONE, GIRMAN, WINSLOW
& SMITH, P.C.

By: /s/ Jordan C. Hettrich

John T. Pion, Esq.

OHSB #70722

Jordan C. Hettrich, Esq.

OHSB #91744

1500 One Gateway Center
Pittsburgh PA 15222
412-281-2288
jpion@pionlaw.com
Counsel for Defendants

CERTIFICATE OF SERVICE

I, Jordan C. Hettrich, hereby certify that a true and correct copy of the foregoing ENTRY OF APPEARANCE was served upon counsel of record by electronic mail, this 19th day of February, 2019, as follows:

Christopher J. Wallace, Esquire
The Wallace Firm, PLLC
3350 Pennsylvania Avenue, Suite B
P.O. Box 2100
Weirton, WV 26062
cwallace@wallace-firm.com
Counsel for Plaintiffs

PION, NERONE, GIRMAN, WINSLOW
& SMITH, P.C.

By: /s/ Jordan C. Hettrich

John T. Pion, Esq.
OHSB #70722
Jordan C. Hettrich, Esq.
OHSB #91744